IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4679 OF 2004
IN
CRIMINAL APPEAL NO.1101 OF 2004

Tanaji Shamrao Nalavade & ors. Applicants

vs.

The State of Maharashtra Respondent

Mr.Shekhar Ingawale for the applicants.

Mrs.V.R. Bhonsale, A.P.P. for the respondent.

CORAM : R. M. LODHA &
R. S. MOHITE,JJ.

DATED : 11th January 2005

P.C.

Heard Mr.Shekhar Ingawale, the learned counsel for the accused-applicants and perused the judgment of the learned IInd Adhoc Additional Sessions Judge, Kolhapur.

2. There is direct evidence of P.W.12-Babaso Gurav implicating the accused-applicants of the offence punishable under Section 302 read with 34 of I.P.C. The evidence of P.W. 12 is corroborated by medical evidence. At this stage, therefore, it cannot be said that the conviction of the accused-applicants is based on no evidence. The accused-applicants were also not on bail during trial. Having considered the facts and circumstances of the case, we are satisfied that no case

for grant of bail to the accused-applicants is made out.

3. Criminal application is, accordingly, rejected.

(R.M. LODHA,J.)

(R.S. MOHITE,J.)